

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MARCY MILLER,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,
Defendant.

No. 1:15-cv-03015-SAB

**ORDER GRANTING STIPULATED
MOTION FOR REMAND**

Before the Court is the parties' Stipulated Motion for Remand, ECF No. 20.

The motion was heard without oral argument.

The parties stipulate that the above-captioned case be reversed and remanded to the Commissioner of Social Security for further administrative proceedings with respect to Plaintiff's application for Disability Insurance Benefits and Supplemental Security Income under Titles II and XVI of the Social Security Act.

Accordingly, **IT IS HEREBY ORDERED:**

1. The parties' Stipulated Motion for Remand, ECF No. 20, is **GRANTED**.

2. The decision denying benefits is **reversed** and **remanded** for further administrative proceedings. On remand, Plaintiff will be allowed to present new evidence and testify at her de novo hearing. In addition, the ALJ will reconsider Plaintiff's intellectual disability at step three; consider, discuss, and assign the

ORDER GRANTING STIPULATED MOTION FOR REMAND ~ 1

1 appropriate weight to the medical opinions; and continue with the remaining steps
2 of the sequential evaluation if Plaintiff is not found disabled at step three,
3 obtaining vocational expert testimony, as necessary.

3. This remand is made pursuant to sentence four of 42 U.S.C. § 405(g).

5 4. Plaintiff is permitted to request reasonable attorneys' fees and costs
6 pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

7 5. The District Court Executive is directed to enter judgment in favor of
8 Plaintiff and against Defendant.

9 **IT IS SO ORDERED.** The District Court Executive is hereby directed to
10 file this Order, provide copies to counsel, and close the file.

DATED this 27th day of July, 2016.



Stanley A. Sestan

Stanley A. Bastian
United States District Judge